



COMMONWEALTH OF KENTUCKY
OFFICE OF THE ATTORNEY GENERAL

GREGORY D. STUMBO
ATTORNEY GENERAL

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FRANKFORT, KY 40601-8204

1 November 2007

Via Hand Delivery

Mr. Robert Cowan
Public Service Commission
211 Sower Boulevard
Frankfort, Kentucky 40601

RE: Kentucky Public Service Commission Case No. 2006-00558

Dear Mr. Cowan:

On 22 December 2006, the Kentucky Public Service Commission entered a Order regarding Airview Utilities, LLC, and Martin Cogan and Larry Smither in their individual and official capacities. The Order formally establishes a proceeding under which the Commission is considering the allegation of the failure to comply with a Commission Order.

By a 4 October 2007 letter to Commission Staff, Airview, Mr. Cogan, and Mr. Smither made a "settlement offer." The offer (as set forth in the letter) speaks for itself. The Office of the Attorney General does not adopt or otherwise support the settlement offer.

While he reserves the right of full participation in this proceeding, the Attorney General does not request the opportunity for discovery, an informal hearing, or a public hearing. He has no objection to the submission of this matter to the Commission for a decision.



If you have any questions or concerns regarding this letter, please contact me at your convenience.

Regards,

David Edw Spenard

David Edward Spenard
Assistant Attorney General

cc: Marty Cogan (regular mail)
Robert C. Moore (regular mail)
Lawrence W. Smither (regular mail)